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Application Number	09/729,810
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First Named Inventor	Victor Shao
Group Art Unit	2141
Examiner Name	Quang N. Nguyen
Total Number of Pages in This Submission	5
Attorney Docket Number	50277-1524

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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Hickman Palermo Truong & Becker LLP
	Christopher J. Brokaw, Reg. No. 45,620
Signature	
Date	June 6, 2006

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	:	
	:	
Victor Shao, et al.	:	Confirmation Number: 9258
	:	
Serial No.: 09/729,810	:	Group Art Unit: 2141
	:	
Filed: December 4, 2000	:	Examiner: Quang N. Nguyen
	:	
For: SHARING INFORMATION ACROSS	:	
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**REPLY BRIEF UNDER 37 CFR § 1.193(b)(1)**

**Mail Stop Appeal Brief – Patents**

Commissioner for Patents

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Sir:

This is in response to the Examiner's Answer mailed April 4, 2006, the shortened statutory period for which runs until June 6, 2006.

### **REMARKS**

The Applicants respectfully submit to the Honorable Board that the position of the Examiner's Answer continues to interpret Claim 1 so broad as to ignore express limitations of Claim 1.

For example, Claim 1 recites the limitation:

storing, external to said device and separate from a first service of the plurality of services, data records containing a plurality of data items associated with a particular type of information.

Claim 1 further recites the limitations:

wherein the step of storing said data records comprises:  
receiving content, provided by one or more services, in response to being requested by the device;  
parsing the content in an attempt to identify one or more data items associated with said particular type of information; and  
when the one or more data items are identified, generating one or more data records that contain said one or more data items;

Thus, the limitations listed immediately above further define how the data records are stored. Thus, one would expect that the subject matter allegedly analogous to the data records would be the same for each of the above-elements.

However, the Examiner's Answer does not consistently interpret what subject matter is allegedly analogous to data records as claimed. On one hand, the Examiner's Answer requires the data records to be "data records of user's shopping and payment information on the electronic wallet server 16 or the transaction portal server 14" (see page 5, near the top). On the other hand, the Examiner's Answer requires the data records to be "transaction records comprising the consumer's indication of which of the options the consumer desires (e.g., gray coat, size XL)" (see page 5, near the bottom). In other words, the Examiner's Answer requires that the data records simultaneously be analogous to records of payment information stored in the wallet 17 and records indicating what items the user wishes to purchase.

The Examiner's Answer attempts to reconcile this discrepancy by arguing that the records indicating what items the user wishes to purchase are "sent to and stored at the electronic wallet 17 as user's shopping information and/or order information which is subsequently transmitted to the merchant 20." This is incorrect.

*Young* teaches that:

**The electronic wallet 17 comprises payment data related to the user 5 previously entered by the user.** For example, the wallet contains a preferred method of payment comprising a credit card type, number, and expiration data for the user 5, and also contains shipping detail data (a shipping address), as well as user-identifying information (e.g., name and e-mail address). (see paragraph 57, emphasis added).

The above-portion of *Young* makes clear that information stored in the wallet 17 is entered by the user, and is not provided by a service. Consequently, information stored in the wallet 17 is not stored based on “receiving content, provided by one or more services, in response to being requested by the device,” “parsing the content in an attempt to identify one or more data items associated with said particular type of information,” and “when the one or more data items are identified, generating one or more data records that contain said one or more data items.”

For example, *Young* does not contain any teaching of a service so generous as to provide information to the wallet 17 that would enable a user to use a credit card that is not the user’s own credit card or a service so knowledgeable as to provide information about the user’s own address to the wallet 17. Instead, *Young* teaches that information stored in wallet 17 is “entered by a user” (see the portion of paragraph 57 underlined above).

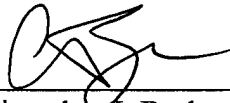
Moreover, the portion of *Young* underlined-above makes clear that information stored in the electronic wallet 17 is payment data; consequently, the Examiner’s assertion that records indicating what items the user wishes to purchase are stored in the electronic wallet 17 is contradicted by *Young* because the records indicating what items the user wishes to purchase do not qualify as payment data.

Consequently, at least the above-listed elements of “receiving content,” “parsing the content,” and “generating one or more data records” are not disclosed, taught, or suggested by *Young*.

The rejections under 35 U.S.C. § 102(e) and 35 U.S.C. § 103(a) based on *Young* lack the requisite factual and legal basis. Appellants respectfully submit that the imposed rejections under 35 U.S.C. § 102(e) and 35 U.S.C. § 103(a) are **not** viable and respectfully solicit the Honorable Board to **reverse** each of the imposed rejections under 35 U.S.C. § 102(e) and 35 U.S.C. § 103(a).

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP



Christopher J. Brokaw

Reg. No. 45,620

**Date: June 6, 2006**

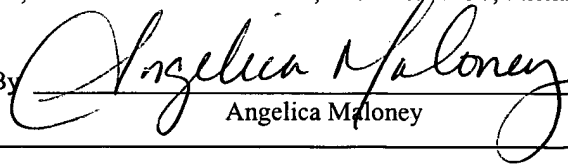
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On June 6, 2006

By



Angelica Maloney